



January 30, 2013

VIA EMAIL

Tonianne J. Bongiovanni, U.S.M.J.
U.S. District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

John E. Flaherty
Partner
T. 973.639.7903
F. 973.297.3971
jflaherty@mccarter.com

Re: AstraZeneca AB, et al. v. Hanmi USA, Inc. et al.
Civ. Action No. 11-00760 (JAP)(TJB)

Dear Judge Bongiovanni:

McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056
T. 973.622.4444
F. 973.624.7070
www.mccarter.com

We, along with Fitzpatrick, Cella, Harper & Scinto, represent the AstraZeneca plaintiffs in this action. In response to the email from Ms. Bray dated January 25, 2013, and in advance of the telephone conference set for Friday, February 1, 2013 at 2:30 pm, we write on behalf of all parties to propose a pretrial schedule for the case. The parties are in agreement on all but one schedule item, as reflected in the "joint" proposed schedule set forth below. To the extent the parties disagree and propose different or additional schedule items or dates, these are set forth in separate sections below.

Joint Proposed Schedule

The parties jointly propose the following pretrial and trial schedule:

BOSTON

- February 19, 2013: opening expert reports

HARTFORD

- March 25, 2013: responsive expert reports

NEW YORK

- April 8, 2013: reply expert reports

NEWARK

- April 11, 2013: Telephone Conference at Noon to be initiated by Plaintiffs
- April 19, 2013: close of expert discovery

PHILADELPHIA

- April 19, 2013: parties exchange (i) lists and copies of proposed trial exhibits; (ii) names and addresses of trial witnesses a party will or may call; and (iii) deposition designations

STAMFORD

- April 26, 2013: parties exchange (i) objections to proposed trial exhibits; (ii) objections to deposition designations; and (iii) deposition counter-designations

WILMINGTON

Hon. Tonianne J. Bongiovanni, U.S.M.J.
Page 2

- April 29, 2013: file any pretrial motions (e.g., motions *in limine*)
- April 30, 2013: parties exchange proposed stipulated facts
- Within three days after Hanmi obtains any information from the FDA regarding the status of the approval of Hanmi's NDA, and in any event not later than May 2, 2013, Hanmi will notify both the Court and AstraZeneca about such approval status and will produce any FDA communication regarding such status promptly upon receipt by Hanmi's counsel, by May 2, 2013 if possible and in advance of the seven day period provided under the Local Rules to the extent possible
- May 6, 2013: file responses to any pretrial motions
- May 6, 2013: parties exchange objections to deposition counter-designations
- May 6, 2013: parties meet and confer concerning proposed stipulated facts
- May 10, 2013: file Final Pretrial Order, or if the Court prefers, file (i) outline of trial proofs; (ii) lists of trial witnesses a party will or may call; (iii) summaries of anticipated testimony of all trial witnesses; and (iv) stipulated facts
- May 13, 2013: final pretrial conference *at 2PM*
- May 20, 2013: submit copies of proposed trial exhibits *unless otherwise ordered by Court*
- ~~May 20, 2013~~: trial *to be set*

AstraZeneca's Additional Proposed Schedule

AstraZeneca proposes one additional schedule item. In light of three pending discovery motions,¹ AstraZeneca proposes that any wrap-up discovery necessitated by resolution of those motions be completed by February 25, 2013.

Hanmi's Response To AstraZeneca's Additional Proposed Schedule

AstraZeneca has been dealing with counsel for third party Parexel regarding AstraZeneca's subpoena, and Hanmi has no objection to AstraZeneca

¹ The three pending motions, all filed by AstraZeneca, are (1) a January 15, 2013 letter motion to compel Hanmi responses to requests for admission; (2) a January 9, 2013 letter motion to compel discovery from Hanmi concerning "Patent Information Statements" submitted to the FDA by Hanmi; and (3) a motion filed in the District of Maryland seeking to compel discovery from Hanmi's FDA agent, Parexel. The first two motions are fully briefed.

Hon. Tonianne J. Bongiovanni, U.S.M.J.
Page 3

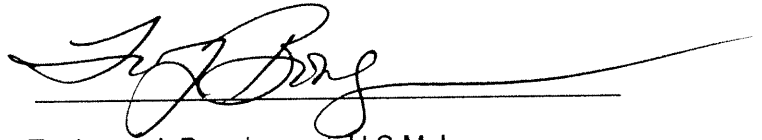
wrapping up that dispute as soon as possible. As to AstraZeneca's two outstanding disputes with Hanmi, Hanmi has opposed the requested discovery for the reasons set forth in Hanmi's responsive letters to Your Honor submitted January 15, 2013 and January 22, 2015, respectively.

Respectfully submitted,

s/John E. Flaherty
John E. Flaherty

cc (via E-mail):
Counsel for Hanmi Defendants
mdzwonczyk@sughrue.com
mboland@sughrue.com
jscherling@sughrue.com
rrathinam@sughrue.com
keetos@skgf.com
ryoo@sughrue.com

SO ORDERED this 4 day of February 2013



Tonianne J. Bongiovanni, U.S.M.J.

ORDER ON ORAL MOTION